UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,663	07/14/2000	Rohit Khare	004962.P001	6238

8791	7590	08/11/2006	

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EXAMINER
HU, JINSONG

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,6,10-12,16,25-27,32,36-38,42 and 77-92* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,6,10-12,16,25-27, 32,36-38,42 and 77-92* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   In view of the Appeal Brief filed on 9/29/05, PROSECUTION IS HEREBY

REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111; or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or

1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2.   Claims 1, 6, 10-12, 16, 25-27, 32, 36-38, 42 and 77-92 are presented for

examination.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by
Mishra et al. (US 6,910,070).

5.   As per claim 1, Mishra teaches the invention as claimed including a method
comprising:

monitoring and detecting publication of information [col. 3, lines 32-35; col. 5, line
59 – col. 6, line 10];

organizing the detected information into a set of topics [col. 6, lines 11-39];

facilitating a user to persistently subscribe to information based on at least one
topic selected from among the set of topics [col. 5, lines 11-15 & 34-58; col. 7, lines 42-
58; col. 8, lines 12-41]; and

delivering the event to the user via the Internet immediately upon detection
based on a subscription to a topic, wherein delivering the event to the user is not reply
to a request from the user [col. 6, line 40 – col. 7, line 6].

6.   As per claim 6, Mishra teaches organizing information into non-events, alerts,
messages, queries, data, data contents, streams or queues [col. 1, lines 39-51].

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 10-12, 16, 25-27, 32, 36-38, 42 and 77-92 are rejected under 35 U.S.C.

103(a) as being unpatentable over Mishra et al. (US 6,178,424 B1) as applied to claims

1, 6 and 11-12 above, in view of "Official Notice".

9.   As per claim 10, Mishra teaches the invention substantially as claimed in claim 1.

Mishra dose not specifically teach organizing events based on URL. "Official Notice" is

taken that both the concept and advantages of providing for URL is well known and

expected in the art. It would have been obvious to a person of ordinary skill in the art

include URL with Mishra's system because it would make the organizing procedure less

complicated.

10.   As per claims 11 and 12, Mishra teaches facilitating a user to persistently

subscribe to a source locator, emails address, a name or a location and to specify a

level of interest in the web user [col. 7, line 59 – col. 8, line 11; col. 8, lines 34-41].

However, Mishra dose not specifically teach organizing events based on URL. "Official

Notice" is taken that both the concept and advantages of providing for URL is well

known and expected in the art. It would have been obvious to a person of ordinary skill

in the art include URL with Mishra's system because it would make the organizing

procedure less complicated.

11.   As per claim 16, Mishra teaches the invention substantially as claimed in

claim 1. Additionally, Mishra teaches the step of registering a user's device and

establishing preferences for routing information to the user [col. 4, lines 38-48].

However, Mishra does not specifically teach the user's device including a pager, cellular

telephone etc. "Official Notice" is taken that both the concept and advantages of

providing for pager, cellular telephone etc. devices are well known and expected in the

art. It would have been obvious to a person of ordinary skill in the art include pager,

cellular telephone etc. devices with Mishra's system because it would improve the

capability of the system.

12.   As per claims 25 and 26, Mishra teaches the invention substantially as claimed in

claim 1. Mishra does not specifically teach the client system having an embedded

micro-server. "Official Notice" is taken that both the concept and advantages of

providing for embedded micro-server is well known and expected in the art. It would

have been obvious to a person of ordinary skill in the art include embedded micro-

server with Mishra's system because it would improve the performance of the entire

system.

13.   As per claims 27 and 85, Mishra teaches the invention substantially as claimed

including a method comprising:

       monitoring and detecting publication of information [col. 3, lines 32-35; col. 5, line

59 – col. 6, line 10];

organizing the detected information into at least one event and routing the event

to a set of topics [col. 6, lines 11-39];

facilitating at least one client to persistently subscribe to information based on at

least one topic selected from among the set of topics [col. 5, lines 11-15 & 34-58; col. 7,

lines 42-58; col. 8, lines 12-41]; and

delivering the event via the network information to the client immediately upon

detection based on a subscription to a topic, wherein delivering the event to the client is

initiated by server, and wherein the client does not include a programmed request

and/or a poll for the event [col. 6, line 40 – col. 7, line 6].

14.   Mishra does not specifically teach the network is Internet. "Official Notice" is

taken that both the concept and advantages of providing for Internet is well known and

expected in the art. It would have been obvious to a person of ordinary skill in the art

include Internet with Mishra's system because it would increase the efficiency and

reliability of the system.

15.   As per claim 32, Mishra teaches organizing information into non-events, alerts,

messages, queries, data, data contents, streams or queues [col. 1, lines 39-51].

16.   As per claim 36, Mishra teaches the invention substantially as claimed in claim 1.

Mishra dose not specifically teach organizing events based on URL. "Official Notice" is

taken that both the concept and advantages of providing for URL is well known and

expected in the art. It would have been obvious to a person of ordinary skill in the art include URL with Mishra's system because it would make the organizing procedure less complicated.

17.   As per claims 37 and 38, Mishra teaches facilitating a user to persistently subscribe to a source locator, emails address, a name or a location and to specify a level of interest in the web user [col. 7, line 59 – col. 8, line 11; col. 8, lines 34-41]. However, Mishra dose not specifically teach organizing events based on URL. "Official Notice" is taken that both the concept and advantages of providing for URL is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include URL with Mishra's system because it would make the organizing procedure less complicated.

18.   As per claim 42, Mishra teaches the invention substantially as claimed in claim 1. Additionally, Mishra teaches the step of registering a user's device and establishing preferences for routing information to the user [col. 4, lines 38-48]. However, Mishra does not specifically teach the user's device including a pager, cellular telephone etc. "Official Notice" is taken that both the concept and advantages of providing for pager, cellular telephone etc. devices are well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include pager, cellular telephone etc. devices with Mishra's system because it would improve the capability of the system.

19.   As per claim 77, Mishra teaches the step of delivering the at least one event from

multiple subscriptions to the client using a single connection [col. 6, lines 40-63].

20.   As per claim 78, Mishra teaches the step of delivering a first event via the

network once and a second event via the network once, the first event being different

from the second event [col. 5, lines 11-15].

21.   As per claim 79, Mishra teaches the step of re-establishing a broken connection

while delivering the at least one event to the client once [col. 5, lines 50-54].

22.   As per claim 80, Mishra teaches the invention substantially as claimed in claim

27. Mishra does not specifically teach the client system having an embedded micro-

server. "Official Notice" is taken that both the concept and advantages of providing for

embedded micro-server is well known and expected in the art. It would have been

obvious to a person of ordinary skill in the art include embedded micro-server with

Mishra's system because it would improve the performance of the entire system.

23.   As per claims 81 and 82, Mishra teaches delivering the at least one event to a

web browser at the client [col. 6, lines 40-63].

24.   As per claims 83 and 84, Mishra teaches the invention substantially as claimed in

claim 1. Mishra dose not specifically teach organizing events based on URL. "Official

Notice" is taken that both the concept and advantages of providing for URL is well

known and expected in the art. It would have been obvious to a person of ordinary skill

in the art include URL with Mishra's system because it would make the organizing

procedure less complicated.

25.   As per claims 86-87 and 91, Mishra teaches the invention substantially as

claimed including a method comprising:

monitoring and detecting publication of information [col. 3, lines 32-35; col. 5, line

59 – col. 6, line 10];

organizing the detected information into at least one event and routing the event

to a set of topics [col. 6, lines 11-39];

facilitating at least one client to persistently subscribe to information based on at

least one topic selected from among the set of topics [col. 5, lines 11-15 & 34-58; col. 7,

lines 42-58; col. 8, lines 12-41]; and

delivering the event via the network information to the client immediately upon

detection based on a subscription to a topic, wherein delivering the event to the client is

initiated by server, and wherein the client does not include a programmed request

and/or a poll for the event [col. 6, line 40 – col. 7, line 6].

Mishra does not specifically teach the transmitting protocol is web protocol.

"Official Notice" is taken that both the concept and advantages of providing for web

protocol is well known and expected in the art. It would have been obvious to a person

of ordinary skill in the art include web protocol with Mishra's system because it would

make the system more efficiency and reliable.

26.   As per claim 88, Mishra teaches the step of delivering a first event via the

network once and a second event via the network once, the first event being different

from the second event [col. 5, lines 11-15].

27.   As per claim 89, Mishra teaches the step of re-establishing a broken connection

while delivering the at least one event to the client once [col. 5, lines 50-54].

28.   As per claim 90, Mishra teaches delivering the at least one event to a web

browser at the client [col. 6, lines 40-63].

29.   As per claim 92, Mishra teaches the invention substantially as claimed including

a method, comprising of receiving a connection from a user, automatically subscribe to

events on behalf of the user and delivering events and/or other web page content to the

user [col. 5, lines 11-15 & 34-58; col. 7, lines 42-58; col. 8, lines 12-41].

30.   Mishra does not specifically teach the network is Internet. "Official Notice" is

taken that both the concept and advantages of providing for Internet is well known and

expected in the art. It would have been obvious to a person of ordinary skill in the art

include Internet with Mishra's system because it would increase the efficiency and reliability of the system.

31.   Mishra does not specifically teach the client system having an embedded micro-server. "Official Notice" is taken that both the concept and advantages of providing for embedded micro-server is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include embedded micro-server with Mishra's system because it would improve the performance of the entire system.
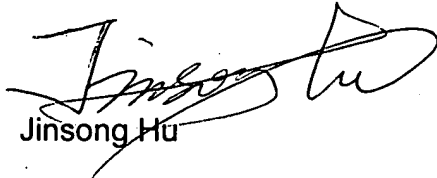
Conclusion

32.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

August 5, 2006